

In the Matter Of:

Bernard vs Fayetteville State University

SANDRA WILLIAMS

April 09, 2025

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DEPOSITIONS,
INC.

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No.: 5:24-cv-00219-BO-RN

LISA BERNARD,)
)
Plaintiff,)
)
vs.)
)
FAYETTEVILLE STATE UNIVERSITY,)
)
Defendant.)
)
_____)

DEPOSITION VIA ZOOM VIDEO CONFERENCE

OF

SANDRA WILLIAMS

Taken by Plaintiff
April 9, 2025
2:00 p.m.

Reported by: Ann Marie Agranoff
Professional Reporter

APPEARANCES

For the Plaintiff:

OSBORN, GAMBALE, BECKLEY & BUDD PLLC
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For the Defendant:

NC DEPARTMENT OF JUSTICE
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Deposition of SANDRA WILLIAMS, taken by the
Plaintiff via Zoom Video Conference on April 9, 2025
at 2:00 p.m., before Ann Marie Agranoff, Professional
Reporter, Notary Public.

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PROCEEDINGS

* * * * *

Whereupon,

SANDRA GAIL WILLIAMS,
having been first duly sworn, was examined and
testified as follows:

EXAMINATION

BY MR. BUDD:

Q. Good afternoon, Ms. Williams. Thank you
for adjusting your schedule on my behalf today. I
appreciate it. And I appreciate you taking your
time to sit for this deposition with us today.

My name, for the record, is Joseph Budd. I
represent Ms. Bernard in this matter.

Ms. Williams, have you ever been deposed
before?

A. No.

Q. Okay. Have you ever given sworn testimony
in any context before, aside from a deposition?

A. No.

Q. Okay. Do you understand that you have just
given an oath -- taken an oath to tell the truth
today?

A. Yes.

Q. And is there anything you don't understand

1 about the oath or your obligation to tell the
2 truth?

3 A. No.

4 Q. Are you on any medication that would
5 interfere with your ability to listen to,
6 understand and answer my questions truthfully?

7 A. No.

8 Q. Are you aware of anything at all that would
9 prevent you from answering my questions truthfully
10 and honestly today?

11 A. No.

12 Q. Since this is your first deposition I'm
13 just going to go through some basic ground rules
14 that will make hopefully both of our lives and
15 Ms. Ann Marie's life a lot easier today.

16 So first off, there may be times today
17 where I ask you questions that you don't fully
18 understand what I'm asking. If that happens at any
19 point and you don't understand what I'm asking,
20 will you please agree to just ask me to rephrase
21 the question?

22 A. Yes.

23 Q. And so would you agree that if you answer
24 any question today that means you fully understood
25 the question that I asked?

1 A. Yes.

2 Q. Just so that there's no miscommunication
3 here today, if I ever ask you -- or if you ever
4 think that I am asking you for what you talked to
5 your attorneys about, that's not what I'm asking
6 about. Okay? I don't know what other attorneys
7 aside from Mr. Lindsley you've spoken with and I
8 really am not that interested in it and I certainly
9 don't want to know what all you talked about with
10 him. Okay?

11 A. Okay.

12 Q. I would love to know what's going on in
13 that room but that's not what I'm asking you today.
14 Okay?

15 If you need a break at any point today,
16 just feel free to let me know. This is not a
17 marathon. I certainly do not expect us to be here
18 for a terribly long amount of time. But please
19 just let us know if you need a break. The only
20 thing that I ask is that if I am asking -- if I
21 have asked a question that you answer it before you
22 take the break. Okay?

23 A. Yes.

24 Q. Last thing. Our court reporter cannot keep
25 a clear record of our testimony and my questions if

1 we talk over each other. Okay? So will you agree
2 to wait until I finish asking the question before
3 you answer it?

4 A. Yes.

5 Q. You've done a terrific job of that so far.
6 It is very difficult and I apologize if I interrupt
7 you at any point. Okay? In advance.

8 Similarly anything -- your answers always
9 have to be verbal. Okay? That means no uh-huhs or
10 uh-uh or mm-hmm. It's always going to be yes or
11 no. And if I ask you to rephrase that and clarify
12 that I'm really not trying to be rude, it's just
13 going to come out kind of rude but that's the
14 purpose of if I have to ask that follow-up
15 question. Okay?

16 A. Yes.

17 Q. Okay. Again, just for the clarity of the
18 record's sake this afternoon I'm going to use a few
19 terms that I just want to make sure that you fully
20 understand what I mean when I say them. If I say
21 plaintiff, Lisa or Ms. Bernard, I'm referring to my
22 client, Ms. Bernard.

23 Do you understand that?

24 A. Yes.

25 Q. And if I use the term University, defendant

1 or FSU, I'm going to be referring to defendant
2 Fayetteville University.

3 Do you understand that?

4 A. Yes.

5 Q. All right. Ms. Williams, have you done
6 anything to prepare for today's deposition? And
7 again, I'm not asking for what you talked about
8 with your counsel.

9 A. Yes.

10 Q. What have you done to prepare for today?

11 A. I've reviewed documents and I've also
12 reviewed emails and timelines within my department
13 and within my email.

14 Q. Okay. Are those all documents that have
15 been produced to us in discovery?

16 A. Yes.

17 Q. Okay. What -- strike that.

18 How many hours did you spend preparing for
19 today? I'm not necessarily asking how long you've
20 spent working on responding to discovery and all of
21 that. I mean just preparing for your deposition
22 today.

23 A. My guess would be five to ten hours.

24 Q. How did you decide which documents to
25 review in preparation for today?

1 A. Documents that were shared in this suit,
2 those are the documents I reviewed.

3 Q. So did you review everything that has been
4 shared in preparation for today?

5 A. I reviewed all documents that were shared
6 with me for this lawsuit.

7 Q. Okay. Were those shared with you by the
8 attorney or what?

9 MR. LINDSLEY: Well, objection.

10 MR. BUDD: Yeah. All right. We'll
11 move on.

12 BY MR. BUDD:

13 Q. When was the last time you did any document
14 review to prepare for today?

15 A. Last night.

16 Q. In your preparations is there anything that
17 you would have liked to review but you were unable
18 to do so?

19 A. No.

20 Q. Ms. Williams, just a little bit of
21 background information on you personally, if you
22 don't mind.

23 Do you have any college degrees?

24 A. Yes.

25 Q. And what are those in?

1 A. Bachelor of arts degree in business
2 administration.

3 Q. And when did you receive that?

4 A. 1999.

5 Q. And where did you receive that from?

6 A. Columbia College.

7 Q. And where is that?

8 A. Missouri.

9 Q. Any other collegiate degrees?

10 A. No.

11 Q. Any post graduate education?

12 A. I took one to two courses.

13 Q. In what -- what were those courses in?

14 A. Master's of business administration.

15 Q. And where did you do those?

16 A. At Fayetteville State University.

17 Q. When did you do those?

18 A. Around 2022, 2023, if I recollect those
19 years.

20 Q. What were those -- strike that.

21 Did you -- are you still taking any MBA
22 classes?

23 A. No.

24 Q. Did you receive a Master's in business
25 administration?

1 A. No.

2 Q. Do you have any plans to continue your
3 training to receive a Master's in business
4 administration?

5 A. Yes.

6 Q. When -- we know how plans go but what --
7 when are you thinking about resuming those studies?

8 A. I'm not sure yet. Undecided.

9 Q. About how many more hours do you have
10 before you're able to earn that Master's?

11 A. I'm not -- vaguely remember the amount of
12 credits available that I would need to graduate
13 with a Master's. I don't remember.

14 Q. Can you estimate about how many classes you
15 think that would require?

16 A. 60, maybe 60 credits. Might be less.

17 Q. Okay. Ms. Williams, what is your date of
18 birth?

19 A. March 18, 1958.

20 Q. Okay. Have you ever received any training
21 in employment law or human resources?

22 A. No.

23 Q. How long have you been employed by the
24 University?

25 A. A little over eighteen years.

1 Q. Has it always been in the same role?

2 A. No.

3 Q. If you could you walk me through the
4 positions that you've served in over the last
5 eighteen years with the University.

6 A. Executive assistant.

7 Q. How long were you an executive assistant
8 for?

9 A. Less than two years.

10 Q. Okay. Then what?

11 A. Executive director of academic budgeting.

12 Q. Okay. How long were you in that job?

13 A. About fourteen years.

14 Q. Then where did you go to?

15 A. To my current role, associate vice
16 chancellor for budgets, financial planning and
17 analysis.

18 Q. So how long have you been in that position?

19 A. March, 2022.

20 Q. When you were executive director of
21 academic budgeting I apologize if this sounds like
22 a dumb question or ignorant question -- but is that
23 in the same department or division that you are in
24 currently?

25 A. No.

1 Q. Okay. What division was it in?

2 A. Academic affairs.

3 Q. Did you have to apply to become associate
4 vice chancellor?

5 A. Actually it was a recruitment waiver.

6 Q. What does that mean?

7 A. A recruitment waiver signed off by the
8 current chancellor. The waiver is approved by a
9 chancellor if there has been so many transitions or
10 issues with candidates applying and you -- HR would
11 be able to provide -- it's a whole HR process.

12 Q. All right. So am I correct that your
13 testimony is that you did not apply for the
14 position of associate vice chancellor but that you
15 were recruited into it?

16 A. Yes.

17 Q. Is it an SHRA position or an EHRA position?

18 A. No. It was not an SHRA position it was
19 EHRA.

20 Q. Is it still an EHRA position?

21 A. Yes.

22 Q. In your experience -- I think you answered
23 it but again I apologize for being ignorant and not
24 fully understanding. What qualifies a person for a
25 recruitment waiver?

1 A. You would -- HR would have to identify
2 that.

3 Q. Okay. Ms. Williams, when you are
4 discussing -- let's -- sorry.

5 Still associate vice chancellor position,
6 what -- how would you describe your current
7 position? What are your job responsibilities?

8 A. The job responsibilities for the budgets of
9 the University total, the general state
10 appropriation funding, position control, non state
11 budget realignment, forecasting, analysis and
12 projection.

13 Q. Are there any education requirements for
14 your current position?

15 A. For the role?

16 Q. Yes, ma'am.

17 A. At least a Bachelor's degree.

18 Q. Okay. In your role, do you oversee any or
19 supervise any employees?

20 A. Yes.

21 Q. How many?

22 A. I currently supervise three employees.

23 Q. Has that always been the case in this role?

24 A. No.

25 Q. Okay. How many -- what's the most

1 employees you've supervised in this role?

2 A. Four employees.

3 Q. And what's the fewest number of employees
4 you've supervised?

5 A. Three.

6 Q. How long have you known Ms. Bernard?

7 A. Three -- the years since March, 2022.

8 Q. Okay. So I think -- is it safe to say that
9 you did not know Ms. Bernard prior to your
10 assumption of the role of associate vice
11 chancellor?

12 A. I knew her better in the role when I became
13 associate vice chancellor.

14 Q. You did know her before?

15 A. Her name, yes.

16 Q. Oh, okay.

17 A. So correction. I knew her name. I knew
18 what her role and responsibilities were as the
19 executive director of academic budgeting.

20 Q. Okay. Thank you. Had you ever met
21 Ms. Bernard prior to your assumption of the role of
22 associate vice chancellor?

23 A. Yes.

24 Q. When did you first meet her?

25 A. In the role as executive director for

1 academic budgeting.

2 Q. Do you think that was -- do you have an
3 approximate date range as to how long before or
4 when that happened?

5 A. No.

6 Q. Was it more than five years before you
7 became associate vice chancellor?

8 A. Yes.

9 Q. Was it more than ten years before you
10 became associate vice chancellor?

11 A. It could be five to ten. I'm trying to
12 recollect.

13 Q. That's fine. Yeah. I'm just trying to
14 understand and figure out what you remember. So if
15 that's what you remember, I appreciate that.

16 At any time prior to your assumption of
17 that position, did you ever work with Ms. Bernard
18 on anything?

19 A. No.

20 Q. About how long did you work with
21 Ms. Bernard in the budget office?

22 A. Since March, 2022.

23 Q. Okay. Until her discharge? Until her
24 discharge from the position?

25 A. Could you rephrase -- discharge?

1 Q. Yeah.

2 A. I don't understand.

3 Q. Her -- her termination -- the termination
4 of her employment, the discharge, when she left
5 that role.

6 A. In the reduction of force process?

7 Q. Sure.

8 A. Okay.

9 Q. When was that?

10 A. April -- March, I believe of 2023.

11 Q. Okay. So you worked with her for about a
12 year though then between the time that she was --
13 she was -- before she was laid off?

14 A. Until April, 2023.

15 Q. Okay. How many hours a day did you spend
16 working with Ms. Bernard in those -- in that year?

17 A. Normally eight hours.

18 Q. Eight hours a day?

19 A. It was at least eight hours a day.

20 Q. Okay. Were you observing Ms. Bernard's
21 work all eight hours a day or was there some --
22 about how many hours a day were you observing her
23 work?

24 A. Could you rephrase? What do you mean as
25 observing her work?

1 Q. Sure. I'll give you an example. I've got
2 my colleague Ayesha here watching this deposition.
3 She is -- she works with me in my office. We are
4 here all the time together. I am -- just because
5 I'm in the same office as her eight hours a day
6 does not necessarily mean that I am observing her
7 fully eight hours a day. So I guess I'm just
8 trying to understand how many hours a day were you
9 actually performing work assignments with
10 Ms. Bernard?

11 A. It wasn't routinely -- one day could be the
12 whole eight hours, depending on the project we
13 worked. Another day it could be three to four
14 hours.

15 Q. Okay.

16 A. Another day could be two to four hours.

17 Q. Okay. You think two to four hours is the
18 least amount of time?

19 A. It's the least.

20 Q. Okay. Thank you.

21 Ms. Williams, are you familiar with the
22 North Carolina human resources manual?

23 A. No.

24 Q. Okay. If you're not familiar with it then,
25 I will state that it says that the state is

1 committed to the insuring the administration and
2 implementation of all human resources policies,
3 practices and programs are equit -- fair and
4 equitable. State agencies, departments and
5 universities shall be accountable for administering
6 all aspects of employment, including hiring,
7 dismissal, compensation, job assignment,
8 classification, promotion, reduction in force,
9 training, benefits and any other terms and
10 conditions of employment are done in accordance
11 with federal and state EEO laws and policies.

12 Do you share this commitment as set out in
13 the state human resources manual?

14 MR. LINDSLEY: Objection.

15 MR. BUDD: You can answer if you
16 understood the question.

17 THE WITNESS: That is not my role.
18 That's a human resources function.

19 MR. BUDD: Okay. Are you stating that
20 you are outside and exempt from the human resources
21 policies of the state?

22 THE WITNESS: I follow direction from
23 the human resources office regarding the manual.

24 MR. BUDD: Okay. Is it your
25 contention that you are not governed by the human

1 resources manual?

2 MR. LINDSLEY: Objection.

3 MR. BUDD: You can answer if you're
4 able to.

5 THE WITNESS: I follow the direction
6 and guidance from the human resources office
7 regarding the manual.

8 MR. BUDD: Let me ask a different way.

9 Do you personally share the commitment that
10 is expressed in that -- what I just said?

11 MR. LINDSLEY: Objection.

12 MR. BUDD: That you are committed to
13 administering reductions in force in accordance
14 with federal and state EEO laws and policies.

15 MR. LINDSLEY: Objection.

16 THE WITNESS: Are you waiting for me
17 to give a response?

18 BY MR. BUDD:

19 Q. I am. Yes, ma'am.

20 A. I follow the guidance and direction from my
21 human resources office regarding the human
22 resources manual.

23 Q. Okay. What has the human resources
24 department told you about the human resources
25 manual?

1 A. That I will follow the directions based on
2 human resources department's direction and guidance
3 for the manual.

4 Q. Okay. Have they ever told you that you
5 need to act in accordance with federal and state
6 EEO laws and policies?

7 A. I follow the guidance and direction they
8 give me.

9 Q. Ma'am, that's not an answer to the question
10 I asked.

11 Have they ever told you that you need to
12 act in accordance with federal and state EEO laws
13 and policies?

14 A. Based on the manual. I just don't
15 recollect that they actually told me. I know I
16 follow the direction and procedures of federal and
17 state regulations for state human resources.

18 Q. But I believe your testimony earlier was
19 you're not familiar with the state human resources
20 manual. Correct?

21 A. It's based on what direction they give me.
22 Human resources notifies me of the guidelines and
23 directions, and I follow them.

24 Q. Okay.

25 A. So if the federal regulations state, that's

1 what they tell me, I follow them.

2 Q. And again, have they ever told you you need
3 to act in accordance with those laws and policies,
4 specifically?

5 MR. LINDSLEY: Objection.

6 MR. BUDD: Yes, no or I don't
7 remember.

8 MR. LINDSLEY: Joe -- objection.
9 You've asked this question and she's answered the
10 best way she can that she follows the instructions
11 given from HR.

12 MR. BUDD: I'm asking what those
13 instructions are and I haven't gotten an answer.

14 MR. LINDSLEY: Well, can you be more
15 clear? Instructions about what in particular? I
16 mean, the human resources manual is hundreds, if
17 not -- well, I don't know about thousands but
18 hundreds of pages long. So what question are you
19 asking her whether she received any instructions
20 about? The whole manual or certain aspects of it?

21 MR. BUDD: In accordance -- I want to
22 know what specifically they -- she has ever been
23 told by human resources about her compliance with
24 federal and state EOO laws and policies. And if
25 you want to go -- I can be even more specific about

1 age discrimination laws.

2 MR. LINDSLEY: Same objection. Again,
3 if you can answer, go ahead.

4 THE WITNESS: Based on age
5 discrimination law, rules I must follow. So I
6 follow those directions and that is a federal law.

7 BY MR. BUDD:

8 Q. Okay. And that is based on directions you
9 receive from the human resources department?

10 A. Based on directions for as a manager,
11 supervisor, annual training update.

12 Q. When was the last time you got that
13 training update?

14 A. Probably maybe a quarter ago, three months
15 ago. It's an annual training --

16 Q. Okay. Did you ever --

17 A. -- from human resources.

18 Q. Okay. Did you ever receive that training
19 before Ms. Bernard's termination?

20 A. Yes.

21 Q. Okay. When was the last time you received
22 that before Ms. Bernard's termination?

23 A. It was an annual training so it was a year
24 before.

25 Q. Okay.

1 MR. BUDD: All right. Let's go off
2 the record for a second to deal with some
3 logistics. Okay?

4 (A brief recess was taken.)

5 BY MR. BUDD:

6 Q. Ma'am, do you have what's been marked as
7 Exhibit 2 in front of you? It's the state
8 reduction in force policy dated October 7, 2021.

9 A. Yes.

10 Q. Take a minute and just review it for me.
11 Make sure that's everything that it should be.

12 A. Okay.

13 Q. Okay. Is the -- is this the policy that
14 governed how you were to conduct any reduction in
15 force among the personnel of the budget office?

16 A. This is the state agency policy that the
17 Univers -- yes. Used, for the reduction in force.

18 Q. Was this the policy that was in force at
19 the time of Ms. Bernard's separation?

20 A. Human resources gave direction on this
21 policy.

22 Q. So yes?

23 A. Yes.

24 Q. Okay. Did you review this policy at any
25 time prior to initiating the reduction in force

1 that effected Ms. Bernard?

2 A. No.

3 Q. Did you review any other policies prior to
4 initiating this reduction in force?

5 A. No.

6 Q. Did you review this policy at any time
7 during the institution of the reduction in force
8 that effected Ms. Bernard?

9 A. Could you rephrase that question?

10 Q. When was the first time that you reviewed
11 this reduction in force policy? Was it before or
12 after Ms. Bernard's discharge?

13 A. It was after. It was at the end of the
14 whole process, HR went over this with me.

15 Q. Okay. So was it after she was identified
16 for reduction or was it after the reduction was
17 complete? If you understand the difference that
18 I'm asking there.

19 A. I'm thinking, hesitating thinking of when
20 we met. It was close to the end of the whole
21 process. I'm not remembering exactly, but it was
22 not before. So it was during the whole process, at
23 the end of our decision of what -- not our decision
24 but -- in reviewing everything and what my options
25 would be as a supervisor of the budget office.

1 Q. Had Ms. Bernard already been identified for
2 discharge at the time you first reviewed the
3 reduction in force policy?

4 A. No.

5 Q. Okay. So at some time prior to her
6 identification as being effected by the reduction
7 in force, you reviewed Exhibit 2?

8 A. I was aware of RIF policy in the role of
9 executive director of academic budgeting and in
10 that role.

11 Q. Okay.

12 A. Our division had to go through a RIF
13 process so I was aware of the policy.

14 Q. Were you -- when you were in that position,
15 were you the one who was executing that RIF policy?

16 A. No.

17 Q. Okay. Were you effected by the RIF policy
18 or by the RIF?

19 A. Could you rephrase? Was I?

20 Q. Yeah, were you targeted by the RIF? I know
21 that sounds bad but --

22 A. No.

23 Q. Okay. All right. But you don't remember
24 exactly when you first reviewed Exhibit 2 in
25 relation to Ms. Bernard's reduction in force;

1 correct?

2 A. It was at the end of our process.

3 Q. Okay. Ms. Williams, could you turn to
4 Exhibit 4, please. Let me know when you get there.

5 A. Exhibit 4. Okay.

6 Q. All right. If you could go with me to the
7 absolute end of the exhibit. Page thirteen. Are
8 you with me?

9 A. The end is an org chart?

10 Q. Yes, ma'am.

11 A. Yes.

12 Q. All right. Did you create this org chart?

13 A. Yes.

14 Q. When did you create this org chart?

15 A. This org chart may have been created the
16 end of February.

17 Q. 2023?

18 A. To say an effective date if the realignment
19 was approved would be March 1st.

20 Q. Of 2023?

21 A. Yes.

22 Q. Okay. The bottom of this page says
23 accounting technician journey Lisa Bernard.

24 Did I read that correctly?

25 A. Yes.

1 Q. Does this chart depict anything happening
2 to Ms. Bernard's position?

3 A. This org chart is a restructuring of the
4 budget office. It shows an accounting technician,
5 Lisa Bernard still on the org chart.

6 Q. So nothing -- under this chart, nothing was
7 supposed to happen to Ms. Bernard; correct?

8 A. Let me read the emails that are in --
9 attached with this.

10 Q. Sure. Take your time. We'll be getting to
11 those emails as well. But just, yes, please review
12 the whole exhibit.

13 A. So the purpose of this org chart was -- was
14 to justify explanation of requesting two budget
15 analysts positions at the time so it was not
16 focusing on -- the highlighted yellow ones are the
17 ones we were focusing on with the vice chancellor
18 to re-establish a re-alignment within the budget
19 office.

20 Q. Okay. Nothing in this chart shows that Ms.
21 Bernard's position was going to be eliminated;
22 correct?

23 A. Correct. There's nothing identified as an
24 elimination.

25 Q. Okay. When was it determined that

1 Ms. Bernard's position would be eliminated as part
2 of this restructuring?

3 A. There was never a decision to eliminate the
4 position.

5 Q. Okay.

6 A. We were asking for a reclassification.
7 That means taking the current job, reclassifying it
8 or recharacterizing it with other duties and
9 responsibilities.

10 Q. Okay. Was that always the plan, according
11 to this?

12 A. The intent was to always reclassify.

13 Q. Okay.

14 A. If you look at the emails in this exhibit,
15 reached out to HR asking them for guidance for --
16 to reclassify positions or to establish new ones.

17 Q. Why then was a reduction in force
18 ultimately instituted if the intent was to
19 reclassify the position?

20 A. There were other emails with direction from
21 human resources that we worked on packages to
22 submit to our UNC system office, human resources,
23 to reclassify positions. Ms. Sheila Wright Zeigler
24 notified me that the UNC system would not or did
25 not approve to reclassify the accounting technician

1 position that Ms. Bernard was in.

2 Q. Okay. So when, exactly, was that decision
3 made?

4 A. In February, 2023.

5 Q. Okay. All right. Let me ask you, do you
6 see above the accounting technician role for
7 Ms. Bernard, do you see the administration support
8 specialist?

9 A. Yes.

10 Q. What are the job requirements for the
11 administration support specialist position?

12 A. The job requirements?

13 Q. Yes, ma'am.

14 A. Could you rephrase? What are you meaning
15 job requirements?

16 Q. Sure. Let me do this: Fayetteville State
17 University at the Fort Liberty Center has a job
18 posting recently for an administrative support
19 specialist and they describe the position as a
20 receptionist that serves as the first point of
21 contact for the FSU at Fort Liberty office
22 providing high quality customer service to service
23 members, veterans, dependents and DOD civilians.
24 This position requires strong communications skills
25 and the ability to effectively learn and convey

1 FSU's policies and procedures. The role involved
2 assisting with application inquiries, clerical
3 duties, event coordination and maintaining
4 informational materials. The minimum education
5 requirement and experience requirements are a high
6 school diploma and one year of related office
7 experience, and preferred qualifications are
8 Associate's degree, two years of higher education
9 experience and one year of student services.

10 Is that similar to -- are those
11 requirements similar to the requirements that the
12 budget office has for the administrative support
13 specialist position?

14 MR. LINDSLEY: Objection. You can go
15 ahead and answer.

16 THE WITNESS: No. Our budget office,
17 each office was different and unique. I don't have
18 the -- so no. It's not the same.

19 MR. BUDD: Okay. How is it different
20 and unique?

21 MR. LINDSLEY: Well, Joe, it's a
22 little unfair, I think -- well, I don't want to
23 make a speaking objection but she doesn't have what
24 you read in front of her. She can't really make a
25 comparison on the fly like that.

1 BY MR. BUDD:

2 Q. Sure. So let me ask you this: Is -- are
3 there clerical duties in the administrative support
4 specialist role in the budget office?

5 A. The role was to support all of the budget
6 analyst positions. If they were approved the
7 person would be a back-up support. The person also
8 would schedule meetings, take minutes, but majority
9 it had a strong emphasis on budgeting and assisting
10 data gathering. So it was -- it would be uniquely
11 different from the position that you read.

12 Q. Okay. Was it a receptionist position as
13 well?

14 A. No. It was called administrative support
15 specialist.

16 Q. Did --

17 A. So that was a higher level position than a
18 receptionist.

19 Q. Are they responsible for greeting guests
20 into the office?

21 A. To answer generically, yes. Whoever comes
22 in, we all would greet.

23 Q. Got you.

24 Are there any differences between the
25 administrative support specialist position and the

1 accounting technician role that Ms. Bernard had at
2 the time of the her discharge?

3 A. Yes. They are two different positions.

4 Q. Okay.

5 A. Two different responsibilities.

6 Q. What are the differences?

7 A. The accounting technician position that
8 Ms. Bernard was in was focusing on position control
9 and data entry.

10 Q. Okay.

11 A. The administrative support specialist
12 specialized in also assisting with data gathering.

13 Q. Okay. Did it require -- did the
14 administrative support specialist, did that require
15 the same level of experience and education levels
16 as an accounting technician role?

17 A. I don't recall what was in the job
18 description of both postings, which HR gave us
19 guidance on. If I had those documents before me, I
20 probably could answer clearly.

21 Q. Understood.

22 Let's go to page six, please, of Exhibit 4.

23 A. Page six.

24 Q. Yeah. It should just carry D sup exhibit
25 1506.

1 Do you see that?

2 A. 1506. Okay.

3 Q. Are you with me? It says justification to
4 reclassify accounting technician?

5 A. Yes.

6 Q. All right. What evaluation and analysis
7 did you perform to reach the determination that the
8 position needed to be reclassified?

9 A. Could you rephrase your question?

10 Q. Sure. Did you -- was it ultimately your
11 determination to reclassify the position of
12 accounting technician to a budget analyst position?

13 A. My senior leadership vice chancellor for
14 business and finance, a new hire came in and asked
15 in the role that she needed the whole structure and
16 function of the business -- budget office to
17 refocus on budgeting forecasting, data analysis,
18 gathering and analytic data. And so the
19 restructuring direction was given to me from the
20 vice chancellor. I contacted human resources.
21 Human resources actually provided the
22 classifications of what the roles as budget analyst
23 would or could be.

24 Q. Did your supervisor then specifically give
25 the instruction to reclassify this position or was

1 that something that was in your discretion?

2 A. My supervisor gave me direction to
3 reclassify the accounting technician position.

4 Q. Okay. Did your supervisor explain
5 specifically why that was necessary?

6 A. Due to the accounting technician duties and
7 responsibilities did not include analytic data
8 analysis, forecasting, budget gathering, so the
9 direction was to contact HR for assistance to
10 create, reclassify or establish new positions in
11 the budget office.

12 Q. Okay. If a position -- if the position
13 could not be reclassified, was it the decision of
14 your supervisor to eliminate the accounting
15 technician position?

16 A. The direction from the supervisor was --
17 gave additional funding to establish brand new
18 positions. That was their direction. She gave
19 additional funding to the budget office to
20 establish new positions.

21 Q. Okay. So there was no -- there was not
22 necessarily a directive to eliminate the accounting
23 technician position?

24 A. No.

25 Q. Whose determination then, if there was

1 additional funding for the budget analyst position,
2 whose decision was it then to eliminate,
3 ultimately, the accounting technician position?

4 A. The decision had to be approved by the vice
5 chancellor and human resources and our chancellor
6 to do a reduction in force.

7 Q. Okay. That was the review of the decision.
8 Correct?

9 A. And approval.

10 Q. And approval. My question is whose idea
11 was it originally, then? If your supervisor is
12 giving you extra money for this new position, whose
13 decision was it to eliminate the position of
14 accounting technician?

15 A. The approval had to come from the vice
16 chancellor.

17 Q. Whose idea was it initially?

18 A. The -- it comes from direction and guidance
19 with HR that does their assessment. HR will give
20 us direction and the best way to handle. I would
21 bring that information to my vice chancellor and a
22 decision would be made.

23 Q. Okay. Was it your decision ultimately to
24 eliminate the role of accounting technician?

25 A. This position that I have before me was

1 actually a reclassification so this position was
2 never eliminated. The documentation before me was
3 requesting a current vacant accounting technician
4 position to be reclassified as a budget analyst 2.

5 Q. Okay.

6 A. And as you can see dated and the
7 documentation, February 10th, it was submitted and
8 approved in April, 2023, that same year.

9 Q. All right. Let's go to --

10 A. It was vacant.

11 Q. I'm sorry. Which position was vacant?

12 A. The position on your 1506.

13 Q. Right. It was vacant at that time because
14 Ms. Bernard was let go. Correct?

15 A. No.

16 Q. Okay. How was it vacated?

17 A. It was vacated because a previous employee
18 applied for a different position and they were
19 selected and this position became vacant.

20 Q. All right. Let's go to page one of Exhibit
21 4.

22 Actually -- sorry. For clarification, if
23 the position of accounting technician was never
24 eliminated, is that what your testimony was?

25 A. This position in the documentation was

1 reclassified as a budget analyst 2.

2 Q. Okay. What about Ms. Bernard's position?
3 What specifically happened to that position?

4 A. After the RIF process, the position through
5 HR is no -- is no longer in the system once a RIF
6 has happened. The position is no longer. It's
7 abolished.

8 Q. So -- so Ms. Bernard's position is no
9 longer in existence; correct?

10 A. That's correct.

11 Q. Okay.

12 A. As the accounting technician, that position
13 no longer exists.

14 Q. Okay. And so what you're saying is that
15 the other position there -- okay. I think I got
16 you.

17 Let's -- are you still with me on page one
18 of Exhibit 4, ma'am?

19 A. Yes.

20 Q. All right. I think this is what you were
21 saying earlier. I no longer want to reclassify any
22 current positions. I'm requesting to establish a
23 new position as budget analyst 1. It's okay to
24 establish a new position as EHRA; correct?

25 A. Yes.

1 Q. All right. And so basically this
2 documentation states that a new position has been
3 created or you are seeking the creation of a new
4 position, not necessarily the reclassification at
5 this point?

6 A. Yes.

7 Q. Okay. Once that reclassification though
8 has been accomplished, it was your intention to
9 eliminate Ms. Bernard's position; correct?

10 A. Could you rephrase what you're asking?

11 Q. Yes. We -- at what point had you
12 determined at this point -- strike that.

13 At what point did you determine that
14 Ms. Bernard's position would be eliminated? Was it
15 before or after February 10th, 2023?

16 A. It was after.

17 Q. Okay.

18 A. Because --

19 Q. Yeah. Because what?

20 A. We requested to establish a new position.
21 So the new budget analyst position 1 was created
22 and approved April, 2023.

23 Q. Okay. And then through -- and then through
24 that, it was -- you then instituted a reduction in
25 force plan to eliminate Ms. Bernard's position;

1 correct?

2 A. Yes.

3 Q. Okay. All right. Let's look at Exhibit 5,
4 please -- actually -- no. Sorry. Stick on page
5 one of Exhibit 4. I apologize. One last question
6 about this document.

7 Very first email in this chain you ask
8 hopefully we'll get it right this time.

9 Do you see that? What were you referring
10 to when you wrote that?

11 A. I was referring to originally the
12 accounting technician that Ms. Bernard was in, to
13 request it being reclassified as an SHRA position,
14 accounting technician, to be reclassified. HR
15 officially notified me that the UNC system said all
16 budget analyst positions cannot be SHRA. They must
17 convert, due to a UNC system audit, business and
18 finance positions must be EHRA.

19 Q. Okay.

20 A. And my response to her was then let's not
21 pursue that --

22 Q. Okay.

23 A. -- to reclassify as an SHRA. We must
24 create a brand new position as EHRA.

25 Q. Thank you.

1 A. Mm-hmm.

2 Q. Now, let's go to Exhibit 5, please. Are
3 you there?

4 A. I believe so.

5 Q. All right. It should have it -- it should
6 be a three page Exhibit pages 20, 21 and 22 at the
7 bottom.

8 A. Oh, yes. I have it in front of me.

9 Q. Is this the reduction force plan for
10 Fayetteville State University budget office dated
11 March 23rd, 2023?

12 A. Yes.

13 Q. Did you draft this?

14 A. No.

15 Q. Who drafted this?

16 A. Ms. Kay Faircloth. She's the assistant
17 vice chancellor for human resources.

18 Q. Is that your signature on page 22?

19 A. No.

20 Q. Whose -- do you know who's the agency head
21 signature?

22 A. The top signature is the chancellor,
23 Darrell Allison, the second signature is Carl Dean.

24 Q. All right. When was the first time you've
25 reviewed or seen Exhibit 5?

1 A. I don't recall the date. I believe it was
2 during this lawsuit and documents were provided for
3 me to review.

4 Q. Got it. Okay. So you had no role
5 whatsoever in preparing this document?

6 A. That's correct.

7 Q. Okay. All right. Ms. Williams, can you go
8 to the second page of this document --

9 A. Yes.

10 Q. -- alternatives to layoff.

11 Are you with me?

12 A. Yes.

13 Q. Do you see that?

14 The University reviewed current and
15 anticipated vacancies in the division of business
16 and finance for potential openings and has not
17 identified a suitable opportunity for the effected
18 employee.

19 Did I read that correctly?

20 A. Yes.

21 Q. Okay. Did you participate in the review of
22 current and anticipated vacancies that's referred
23 to here?

24 A. No. No. I did not.

25 Q. Okay. Were you ever contacted or asked

1 about Ms. Bernard's qualifications or abilities to
2 perform the administrative support specialist role?

3 A. No.

4 Q. Did you ever consider Ms. Bernard for that
5 role?

6 A. No. At the time the position was posted
7 vacant so it was open for anyone to apply to it.

8 Q. Okay. But you did not specifically suggest
9 that or recommend it?

10 A. No.

11 Q. In your year of working with Ms. Bernard,
12 is it your opinion that she would have qualified
13 for the position of administrative support
14 specialist?

15 A. Ask me -- rephrase.

16 Q. Sure. In the year working with
17 Ms. Bernard, you observed her work ethic and her
18 qualifications; correct?

19 A. Yes.

20 Q. In that year of learning those things, have
21 you -- are you able to form an opinion as to
22 whether or not Ms. Bernard would have been
23 qualified for the administrative support specialist
24 role that was vacant?

25 A. This position may have been a lower level

1 position for Ms. Bernard. So I did not consider
2 her. However, she was free to apply.

3 Q. In your opinion, would she have qualified
4 for those -- the requirements and expectations of
5 that role?

6 A. She could have applied based on her
7 information or her background, she could have
8 applied.

9 Q. Okay. Would she have been, in your
10 opinion, a good candidate for the role?

11 A. She could have applied and HR would have
12 screened through all the applicants and gave --
13 provided to me two to three candidates that
14 qualified and that's what HR's role is to go and
15 confirm an employee is qualified for that position.

16 Q. Okay. In your opinion would she -- again,
17 do you think she -- if you had been given her
18 resume, knowing what you know about her, would --

19 A. If she had applied and HR gave me the two
20 to three names and Ms. Bernard was one of them, she
21 would have interviewed -- I would have interviewed
22 her just as the other applicants.

23 MR. BUDD: I might be done with my
24 questions. I just want to go through my notes.
25 Okay?

MR. LINDSLEY: Few minutes then?

MR. BUDD: Yeah. Give me, like, five minutes.

(A brief recess was taken.)

MR. BUDD: We can go back on the record.

All right. Ma'am. I have no further questions.

MR. LINDSLEY: I do have some questions to follow up.

EXAMINATION

BY MR. LINDSLEY:

Q. Ms. Williams, when you started in your role in the budget office, was there a plan at all to create budget analyst positions?

A. No.

Q. When did that idea begin?

A. The idea began when the new vice chancellor for business and finance was appointed to the business office.

Q. Who was that?

A. Dr. Lillian Wanjovi.

Q. And is she the person you were referring to earlier who gave you the direction to make the budget analyst positions?

1 A. Yes.

2 Q. Now, the budget analyst positions
3 themselves, were they a position that -- well,
4 strike that. How was it that the budget analyst
5 positions in particular with their description came
6 to be the ones that were used for these new
7 positions?

8 A. The direction of the UNC system office was
9 to make sure all budget offices had budget analyst
10 positions.

11 Q. And the description that go along with
12 those, did you come up with the budget analyst job
13 description?

14 A. Our human resources office provided the job
15 descriptions of the budget analyst positions.

16 Q. Now, when you started in the budget office,
17 how many account technician positions were there?

18 A. There were three accounting technician
19 positions.

20 Q. How many of them were filled?

21 A. Two were filled.

22 Q. Okay. And was Lisa Bernard one of them?

23 A. Yes.

24 Q. Who was the other filled account
25 technician?

1 A. Jan-Jee Wells.

2 Q. And was there a vacant account technician
3 position as well?

4 A. Yes.

5 Q. Now, we used the word reclassify or
6 reclassification earlier. What does that mean in
7 terms of the account technician positions and the
8 budget analyst positions?

9 A. Reclassify is taking a current position,
10 changing the duties and responsibilities and
11 changing the title.

12 Q. When you reclassify a position like that,
13 is it possible to just take the employee from the
14 previous position and put them in the new
15 reclassified position?

16 A. Yes.

17 Q. Is that what happened here? Let me ask a
18 different question.

19 Jan-Jee's position, she was an account
20 technician. Did she at some point move to a budget
21 analyst position?

22 A. Yes.

23 Q. While she was still an account technician,
24 had you created within your office a new budget
25 analyst position?

1 A. Yes.

2 Q. Was that an EHRA or an SHRA position?

3 A. That was an EHRA position.

4 Q. Why was it an EHRA position?

5 A. It was an EHRA position based on the UNC
6 system auditing. They -- all budget analysts must
7 be EHRA position, which is a certain classification
8 and hiring rules apply and because of that, Jan-Jee
9 in the accounting technician position was SHRA, she
10 had to apply for the position and there had to be a
11 competitive search on all EHRA positions.

12 Q. And so Jan-Jee, did she apply?

13 A. Yes.

14 Q. Was -- were there other candidates
15 considered for that position?

16 A. Yes.

17 Q. Was she hired for that budget analyst
18 position?

19 A. Yes.

20 Q. Now once she had been hired for the budget
21 analyst position was her old account technician
22 position vacant?

23 A. Yes.

24 Q. What happened with that account technician
25 position?

1 A. The accounting technician position that was
2 vacant, paperwork was submitted to human resources
3 asking it to be reclassified as a budget analyst
4 EHRA position.

5 Q. Okay. And as a budget -- in that
6 circumstance, Jan-Jee's empty position, were you
7 asking for a reclassification to a second budget
8 analyst position?

9 A. Yes.

10 Q. So that would be a budget analyst position
11 different from the one that Jan-Jee applied for and
12 was hired for?

13 A. Yes.

14 Q. Did that change ultimately happen?

15 A. Yes.

16 Q. Why was a reclassification possible in that
17 circumstance with an empty account technician
18 position when it wasn't possible with the filled
19 account technician positions?

20 A. It was due to direction I got from human
21 resources was it was better -- easier to reclassify
22 a vacant position where no one was in it and
23 convert it to an EHRA position.

24 Q. And just to be clear, the account
25 technician positions, were they EHRA or SHRA?

1 A. All current budget analyst positions that
2 were in the budget office are EHRA.

3 Q. What about the account technician
4 positions? Which classification were they?

5 A. SHRA.

6 Q. Now, after the vacant account technician
7 position that Jan-Jee was in was reclassified to a
8 budget analyst position, you then had how many
9 budget analyst positions in the office?

10 A. Two.

11 Q. How many did you intend to have in the
12 office?

13 A. Three.

14 Q. So deduction you had one more budget
15 analyst position to create or to have in the
16 office; correct?

17 A. Correct.

18 Q. What was your intention when this whole
19 process began, with regard to Ms. Bernard and the
20 third budget analyst position?

21 A. My intention was to reclassify the position
22 Ms. Bernard was in as a budget analyst.

23 Q. If that plan had worked, would Ms. Bernard
24 have simply been moved from her account technician
25 position into the budget analyst position?

1 A. Yes.

2 Q. Did there come a time that you learned that
3 that would not be possible?

4 A. Yes.

5 Q. When was that?

6 A. In February '23.

7 Q. And who informed you that that plan would
8 not work?

9 A. Ms. Sheila Wright Zeigler. She was the
10 classification and compensation specialist in human
11 resources.

12 Q. What ultimately became the plan for this
13 transition from Ms. Bernard's account technician
14 position to the now third budget analyst position
15 in the office?

16 A. The same process as Ms. Wells. We were --
17 my intent was because now the position is EHRA, it
18 had to be a competitive bid search to apply for the
19 position.

20 Q. Okay. And so are you saying it couldn't
21 simply be reclassified?

22 A. Correct. Because it was an SHRA position,
23 accounting technician.

24 Q. And Ms. Bernard was in that position;
25 correct?

1 A. Correct.

2 Q. So what ultimately was determined would
3 need to happen to make that change from
4 Ms. Bernard's account technician position to the
5 new budget analyst position?

6 A. So, to keep the three positions as budget
7 analysts that we would have, she would have to
8 re -- to apply and then after we got the three
9 positions we had to come up with a plan why are we,
10 human resources is asking us why we still have an
11 accounting technician position.

12 Q. Now, when Ms. Bernard, when her position
13 was being -- after you heard from HR that a simple
14 reclassification would not work --

15 A. Would not -- mm-hmm.

16 Q. -- is that when the RIF plan became the
17 working plan?

18 A. Yes.

19 Q. Was that your idea to do a reduction in
20 force with regard to Ms. Bernard's position?

21 A. No. I worked with HR to provide guidance
22 and direction. HR gave us options on what to do
23 and it was one of -- it was the option -- the only
24 option that we could have done at that point.

25 Q. So HR -- did HR say this is how it's going

1 to have to be done?

2 A. Yes.

3 Q. Ms. Bernard, in her role as account
4 technician, was part of her responsibilities
5 dealing with job -- well, strike that.

6 When Ms. -- when Dr. Wanjovi first
7 mentioned this plan to create different jobs within
8 the budget office, when she first started talking
9 about that, did you have any intention to let
10 Ms. Bernard go?

11 A. No.

12 Q. As this plan started to unfold and progress
13 and exchanges were being made, did you at some
14 time, except for the reduction in force action,
15 have any intention to fire or otherwise terminate
16 Ms. Bernard's employment?

17 A. No.

18 Q. Was the RIF action the only reason she was
19 subject to release from employment?

20 A. Yes.

21 Q. Did Ms. Bernard ever apply for any of the
22 budget analyst positions?

23 A. No.

24 MR. LINDSLEY: I believe those are all
25 the questions. Thank you.

RE-EXAMINATION

BY MR. BUDD:

Q. I've got just a few follow ups on that.

Ms. Williams, did you ever consider using a recruitment waiver for Ms. Bernard?

A. No.

Q. Why not?

A. That was not an option given to me in this role.

Q. Okay. Who would have given you that option?

A. It had to come from our chancellor.

Q. Okay. Is that -- I apologize. I don't remember your testimony from earlier but is that what happened when you were given a recruitment waiver into your current position?

A. Yes. The chancellor.

Q. Do you know if that option was ever presented to the chancellor?

A. No.

Q. You don't know or that option was never presented to the chancellor?

A. No. I don't know.

MR. BUDD: I have no further questions. Thank you, ma'am.

1 MR. LINDSLEY: All right. Madam court
2 reporter she will read and sign.

3 (The deposition concluded at 3:45
4 p.m.)
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ERRATA SHEET

Case name: Bernard
vs.
Fayetteville State
Case number: 5:24-cv-00219-BO-RN
Witness name: SANDRA GAIL WILLIAMS
Date: April 9, 2025

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SIGNATURE PAGE

I, Sandra Gail Williams, do hereby
state under oath that I have read the above and
foregoing deposition in its entirety and that the
same is a full, true and correct transcript of my
testimony, subject to the attached list of
corrections, if any.

Sworn to and subscribed before me
this _____ day of _____, 20____.

Notary Public

My commission expires: _____

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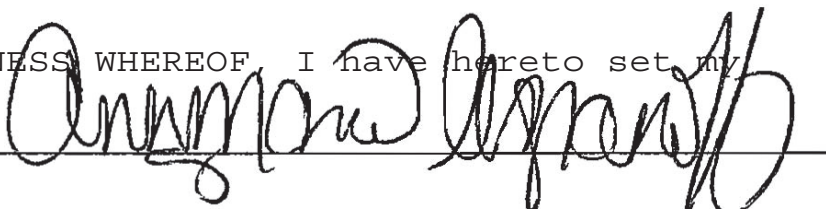
STATE OF NORTH CAROLINA

COUNTY OF WAKE

CERTIFICATE

I, Ann Marie Agranoff, a Notary Public in
and for the State of North Carolina duly commissioned
and authorized to administer oaths and to take and
certify depositions, do hereby certify that on April
9, 2025, SANDRA GAIL WILLIAMS, being by me personally
duly sworn to tell the truth, thereupon testified as
above set forth as found in the preceding pages, this
examination being reported by me verbatim and then
reduced to typewritten form under my direct
supervision; that the foregoing is a true and correct
transcript of said proceedings to the best of my
ability and understanding; that I am not related to
any of the parties to this action; that I am not
interested in the outcome of this case; that I am not
of counsel nor in the employ of any of the parties to
this action.

IN WITNESS WHEREOF, I have hereunto set my
hand.



Ann Marie Agranoff
Notary Public

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